



SHARON KELLER  
PRESIDING JUDGE

BARBARA P. HERVEY  
BERT RICHARDSON  
KEVIN P. YEARY  
DAVID NEWELL  
MARY LOU KEEL  
SCOTT WALKER  
MICHELLE M. SLAUGHTER  
JESSE F. MCCLURE, III  
JUDGES

## COURT OF CRIMINAL APPEALS

P.O. BOX 12308, CAPITOL STATION  
AUSTIN, TEXAS 78711

DEANA WILLIAMSON  
CLERK  
(512) 463-1551

SIÂN SCHILHAB  
GENERAL COUNSEL  
(512) 463-1600

Wednesday, December 01, 2021

District Clerk Liberty County  
1923 Sam Houston  
Liberty, TX 77575  
\* Delivered Via E-Mail \*

**Re:** Middleton, Brian Ray  
**CCA No.** PD-1236-20  
**Trial Court Case No.** CR31225

**COA No.** 09-20-00014-CR

The Court of Criminal Appeals has this day issued the mandate in the above-referenced and styled case number. The mandate will be transmitted electronically only.

**\*\*\*DISTRICT CLERK\*\*\***

### MANDATE RECEIPT ACKNOWLEDGEMENT

Pursuant to Rule 51.2(a)(1) T.R.A.P., please acknowledge receipt of the mandate of the Court of Criminal Appeals in the above numbered and styled case via this [email link](#).

Sincerely,

A handwritten signature in black ink that reads 'Deana Williamson'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Deana Williamson, Clerk

cc: 9th Court of Appeals Clerk (Delivered Via E-Mail)  
Presiding Judge 253rd District Court (Delivered Via E-Mail)  
District Attorney Liberty County (Delivered Via E-Mail)  
Thomas Abbate Jr. (Delivered Via E-Mail)  
Emily Johnson-Liu (Delivered Via E-Mail)



**TEXAS COURT OF CRIMINAL APPEALS**  
**Austin, Texas**

**M A N D A T E**

**TRIAL COURT NO. CR31225**

**COURT OF APPEALS NO. 09-20-00014-CR**

**THE STATE OF TEXAS,**

**TO THE 253RD DISTRICT COURT OF LIBERTY COUNTY — GREETINGS:**

Before our **COURT OF CRIMINAL APPEALS**, on **NOVEMBER 3, 2021**, the cause upon appeal to review, revise or reverse your Judgment between:

**BRIAN RAY MIDDLETON**

**VS.**

**THE STATE OF TEXAS**

**CCRA NO. PD-1236-20**

was determined; and therein our said **COURT OF CRIMINAL APPEALS** made its order in these words:

"This cause came on to be heard on the **STATE'S** Petition for Discretionary Review, and the same being inspected, it is **ORDERED, ADJUDGED AND DECREED** by the Court that the Petition for Discretionary Review be **GRANTED**.

The judgment of the Court of Appeals is **AFFIRMED**, in accordance with the Opinion of this Court, and that this decision be certified below for observance."

**WHEREFORE**, We command you to observe the order of our said **COURT OF CRIMINAL APPEALS** in this behalf and in all things to have it duly **RECOGNIZED, OBEYED AND EXECUTED**.

**WITNESS, THE HONORABLE SHARON KELLER**, Presiding Judge

of our said **COURT OF CRIMINAL APPEALS**,

with the Seal thereof annexed, at the City of Austin,

on this day **Wednesday, December 01, 2021**.

**DEANA WILLIAMSON**, Clerk